

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

EUGENIO GARDUNO GUEVARA,)
)
Plaintiff,)
)
v.) No.: 3:15-CV-548-TAV-CCS
)
ALMA SOTO SOTO,)
)
Defendant.)

ORDER

This civil matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge C. Clifford Shirley, Jr. on December 20, 2016 [Doc. 39]. In the R&R, Magistrate Judge Guyton recommends that the Court grant in part and deny in part plaintiff’s Motion for Attorney’s Fees, Suit Expenses, and Costs [Doc. 24]. Specifically, Judge Shirley recommends that a reduced amount of attorneys’ fees be awarded, primarily because he finds that plaintiff’s request for paralegal fees is estimated at an unreasonably high rate, and he thus slightly discounts the amount per hour [Doc. 39 p. 5]. Additionally, Judge Shirley recommends that certain expenses not be awarded because plaintiff failed to supply justification for these particular expenses [*Id.* at 6]. In sum, Judge Shirley recommends that plaintiff’s counsel be awarded a total of \$50,312.47, as follows: (1) \$43,000.00 in attorney’s fees; (2) \$1,762.50 in paralegal fees; and (3) \$5,549.97 in expenses [*Id.* at 7].

There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After reviewing the matter, the Court is in agreement with Magistrate Judge Shirley's recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 39]. Plaintiff's Motion for Attorney's Fees, Suit Expenses, and Costs [Doc. 24] is **GRANTED in part** and **DENIED in part**. It is **ORDERED** that attorney's fees in the amount of **\$50,312.47** be payable to plaintiff's counsel under 22 U.S.C. § 9007(b)(3).

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE